

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

April 30, 2013

VIA EMAIL

Mr. Jason Smathers  
MuckRock News  
DEPT MR 198, PO Box 55819  
Boston, MA 02205-5819  
198-78632474@requests.muckrock.com

Dear Mr. Smathers:

This letter is the Office of the United States Trade Representative's (USTR) interim response to your request under the Freedom of Information Act (FOIA), 5 U.S.C. §552, dated November 7, 2010, and received by USTR on July 17, 2012, for:

- All emails and corresponding attachments sent to (to:, cc:, or bcc:) or from Ronald Kirk (or any person who communicates on his behalf) where the email contains any of the following keywords in the subject or body: "just between us" "breach" "big trouble" "too late" "stupid" "bad company" "perception issue" "the real objective" "very slippery slope" or "true disaster."

Your request has been assigned the case file number 12071734A. Please refer to this identifier in any future correspondence.

After a careful review of your FOIA request, we have determined that your request is overly broad and does not reasonably identify the records which you seek. USTR FOIA regulations require that FOIA requests be as specific as possible and describe the records sought so that the records can be located with a reasonable amount of effort. See 15 CFR §2004.6(b). USTR FOIA regulations provide examples of how a requester can provide sufficient detail regarding the records they seek so that the records can be located without placing an unreasonable burden on the federal agency. See id. For example, including such information as the name of the record, the date, the author, the recipient, and/or the subject matter provides useful details to allow for a proper search. See id.

Because your request does not meet the standard set forth in USTR's FOIA regulations, it is considered insufficient or "unperfected." You may resubmit this request with a reasonable description of the records you seek. If we do not receive a modified request within 20 days of the date of this letter, however, this case will be administratively closed. Please be advised that this action is not a denial of your request and will not preclude you from filing FOIA requests in the future.

Mr. Jason Smathers

Page 2

Should you have any questions, please feel free to contact the FOIA office at (202) 395-3419.

Sincerely,

A handwritten signature in cursive script, reading "Melissa Keppel". The signature is fluid and written in dark ink.

Melissa Keppel  
Associate General Counsel

Case File # 12071734A